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U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

**MEMO ENDORSED**

August 13, 2008

By Hand Delivery

Honorable Lawrence M. McKenna  
United States District Judge  
United States District Court  
500 Pearl St., Room 1640  
New York, NY 10007

AUG 14 2008  
LAWRENCE M. MCKENNA  
USDJ SDNY

Milanes v. Chertoff, 08 Civ. 2354 (LMM) (KNF)

Dear Judge McKenna:

As requested by the Court, the parties have conferred concerning errata in the transcript of the Court's August 7, 2008 oral decision. The parties jointly propose the corrections to the transcript indicated on the attached Exhibit A. The Government proposes the additional correction listed on the attached Exhibit B; plaintiffs do not agree to this additional correction.

We thank the Court for its attention to this matter.

*corrections*  
*All proposed changes, including that on Exhibit B, are approved. So ordered.*

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:

*[Signature]*  
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**EXHIBIT A –  
Agreed Proposed Errata Sheet for  
Transcript of August 7, 2008 Oral Decision**

<b>Page and Line</b>	<b>Per Transcript</b>	<b>Proposed Change</b>
2:18	United States Citizenship at the Immigration Services	United States Citizenship and Immigration Services
2:19	has submitted	have submitted
3:7	the date	a date
6:12	there's	there is
7:2	the	a
7:4	has resided, has been employed or engaged in business	has resided and has been employed, or engaged in business,
7:9	CFR	8 CFR
7:12	Decision	A decision
7:14	120 days	120-days
7:19	Part	part
8:16	of an	on the
8:21-22	includes, one, confirmation	includes: (1) Confirmation
8:24	two, confirmation	(2) Confirmation
9:1	three, confirmation	(3) Confirmation
9:19-20	name files	main files
10:11	name files	main files
10:18	name	main
11:12	contents	content
11:17	Executives	Executives'
12:16	name files	main files
13:1	general statements, policy	general statements of policy
13:2	procedure or practice	procedure, or practice
13:13	Second Circuit	Seventh Circuit

Page and Line	Per Transcript	Proposed Change
13:24-25	name files	main files
14:24	8 USC 571(b)	8 USC 1571(b)
15:8	this loss	the cause
16:18	adjudication, it presents	adjudication, presents
17:1	553 F. Supp. 2d	533 F. Supp. 2d
17:9	concluded	included
17:9	Agency	agency
17:11	and	but
17:12	to the agencies at their discretion	to the agency's discretion
17:12	Court	court
17:15	has	have
17:23	name files	main files
18:4	name files	main files
18:21	207 WL	2007 WL

**EXHIBIT B –  
Additional Errata Proposed by Government**

Page and Line	Per Transcript	Proposed Change
11:9	lay	plain